

REMARKS

Applicants respectfully request entry of the amendment and reconsideration of the claims. After entry of the amendment, claims 19, 38, 42-48, 51-57, 61-64, 66, and 68-75 will be pending. Claims 61-64, 42-48, and 51-57 are indicated to be allowable. Claims 19 and 38 have been amended. Applicants submit the amendment places claims 19, 38, 42-48, and 51-57 in condition for allowance.

Applicants submit the amendment is supported throughout the specification, including for example at page 53, lines 29-33 and claim 19 as originally filed, and does not introduce new matter. A notice of allowance is respectfully requested.

35 U.S.C. § 112, first paragraph

Claims 19, 38, 42-48, and 51-57 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. The Office Action acknowledges the claims are enabled as directed to SEQ ID NO:5 and SEQ ID NO:6. The Office Action alleges the claims are not enabled as directed to SEQ ID NO:3.

Without acquiescing to the rejection and solely for the purpose of advancing prosecution, SEQ ID NO:3 has been removed from the claims. Applicants reserve the right to pursue the cancelled subject matter in a continuation application. Applicants submit claims 19 and 38 as amended fully comply with § 112, first paragraph.

Claims 42-48 and 51-57 depend from claim 19 or claim 38 respectively and were rejected because the independent claim from which they depend allegedly lacks enablement. Applicants submit claims 42-48 and 51-57 fully comply with § 112, first paragraph in view of the amendment to claims 19 and 38.

Withdrawal of the rejection is respectfully requested.

35 U.S.C. § 112, second paragraph

Claims and 42-48 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants respectfully traverse this rejection.

The Office Action alleges claim 19 is indefinite because preamble is inconsistent with the intended use. Without acquiescing to the rejection and solely for the purpose of advancing prosecution, the intended use language has been removed from the claim. Applicants submit the amended wherein clause in claim 19 is consistent with the preamble of claim 19.

The Office Action alleges claim 19 is indefinite because it is unclear what expression is being compared to normal cells. Without acquiescing to the rejection and solely for the purpose of advancing prosecution, the wherein clause containing the objected to language has been removed from the claim.

In view of the foregoing, Applicants submit claim 19 fully complies with § 112, second paragraph.

Claims 42-48 depend from claim 19 and were rejected because the independent claim from which they depend is allegedly indefinite. Applicants submit claims 42-48 fully comply with § 112, second paragraph in view of the amendment to claim 19.

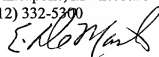
Withdrawal of the rejection is respectfully requested.

Conclusion

In view of the above amendments and remarks, Applicants submit the amendment places the claims condition for allowance. A Notice of Allowance is respectfully requested. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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